

**AMENDMENTS TO THE CLAIMS**

1. (Currently Amended) A marker particularly valuable to performing invasive surgical procedures, comprising:

a housing in the form of a marking pen; [[and]]

a reservoir in the housing that is filled with a substance which, when dispensed through the marking pen, is radiopaque[.]; and

wherein the substance is primarily a powder.

2. – 12. (Canceled)

13. (Currently Amended) A method of preparing for a surgical procedure, comprising the steps of:

providing the marking pen of claim 1;

indicating an operative site using the marking pen; [[and]]

subjecting the site to x-ray exposure for the purpose of comparing the indication to one or more internal structures associated with the procedure[.]; and

wherein the step of indicating an operative site using the marker includes marking a surgical film.

14. – 15. (Canceled)

16. (Currently Amended) A method of preparing for a surgical procedure, comprising the steps of:

providing the marking pen of claim 1;

indicating an operative site using the marking pen;

subjecting the site to x-ray exposure for the purpose of comparing the indication to one or more internal structures associated with the procedure; and

The method of claim 13, further including the step of erasing the indication if not optimized for the procedure.